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June 2, 1994

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Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, N.W., Room 222
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

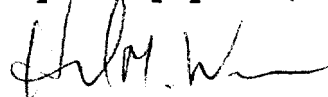
Re: Amendment to Petition for Rulemaking
Modification of FM Table of Allotments
Gulf Communications Partnership
Tice, Florida

Dear Mr. Caton:

Transmitted herewith on behalf of Gulf Communications Partnership, permittee of Station WAAD(FM), Tice, Florida, are an original and four copies of its "Amendment to Petition for Rulemaking". The Amendment should be associated with the Petition for Rulemaking filed by Gulf Communications Partnership on April 26, 1994.

Should any questions arise concerning this matter, please communicate with the undersigned.

Very truly yours,



Howard M. Weiss
Counsel for
Gulf Communications Partnership

HMW/bi
Enclosure

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BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

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In the Matter of)
)
Amendment of Section 73.202(b))
Table of Allotments)
FM Broadcast Stations)
(Tice, Florida))

To: Chief, Allocations Branch

AMENDMENT TO PETITION FOR RULEMAKING

Gulf Communications Partnership, permittee of Station
WAAD(FM), Tice, Florida ("Gulf") hereby respectfully amends its
April 26, 1994, Petition for Rulemaking as follows:

1. In its petition, Gulf sought a series of modifications
in the Table of Allotments designed to permit an upgrade of
Gulf's channel from A to C2. Among the channel changes proposed
was the substitution of Channel 237C2 for Channel 288C2 at Key
Colony Beach, Florida. In order to ensure that this modification
could be made, Gulf also filed comments in pending MM Docket 93-
136, wherein it has been proposed, *inter alia*, that Channel 280C2
instead be substituted at Key Colony Beach. That substitution
would have blocked implementation of Gulf's proposal.

2. Subsequently, Gulf was served with a copy of a Joint Opposition to Motion for Leave to File Comments filed by a party in the rulemaking. The pleading opposed Gulf's comments on procedural grounds but, alternatively, advanced a different channel for Key Colony Beach in order to accommodate the utilization of 237C2 for an upgrade at Marathon, Florida. The alternate channel proposed for Key Colony Beach, 267C2, is acceptable to Gulf as it would be consistent with its proposed upgrade. Moreover, to Gulf's knowledge allotment of this channel to Key Colony Beach would not conflict with any other proposals in Docket 93-136 or in other dockets before the Commission now. (See the attached Technical Exhibit prepared by Gulf's consultant, Graham Brock, Inc.)

3. Accordingly, the changes proposed in the Table of Allotments in Gulf's petition for rulemaking are amended as follows:

Tice, Florida

<u>Present</u>	<u>Proposed</u>
229A	229C2

Naples, Florida

<u>Present</u>	<u>Proposed</u>
228A, 233C 276C3	233C, 276C3, 284A

Big Pine Key, Florida

Present

284C

Proposed

283C

Key Colony Beach, Florida

Present

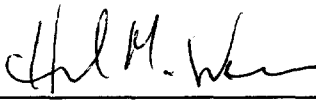
288C2

Proposed

267C2

Respectfully submitted,

GULF COMMUNICATIONS PARTNERSHIP

By: 
Howard M. Weiss

FLETCHER, HEALD & HILDRETH
1300 North 17th Street
11th Floor
Rosslyn, Virginia 22209
(703) 812-0400

June 2, 1994

CERTIFICATE OF SERVICE

I, Rebecca Ingham, a secretary in the law firm of Fletcher, Heald and Hildreth, do hereby certify that true copies of the foregoing "Amendment to Petition for Rulemaking" were sent this 2nd day of June, 1994, by postage paid first-class United States mail to the following:

John Carrousas *
Acting Chief, Allocations Branch
Policy and Rules Division
Mass Media Bureau
Federal Communications Commission
2025 M Street, N.W., Room 8322
Washington, D.C. 20554

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*Via Hand Delivery


Rebecca Ingham

GRAHAM BROCK, INC.

BROADCAST TECHNICAL CONSULTANTS

AMENDMENT TO
PETITION FOR RULE MAKING
GULF COMMUNICATIONS PARTNERSHIP
SUBSTITUTE CH 229C2 FOR CH 229A
ORDER WAAD TO CHANGE CLASS
TICE, FLORIDA
June 1994

TECHNICAL EXHIBIT

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AMENDMENT TO
PETITION FOR RULE MAKING
GULF COMMUNICATIONS PARTNERSHIP
SUBSTITUTE CH 229C2 FOR CH 229A
ORDER WAAD TO CHANGE CLASS
TICE, FLORIDA
June 1994

TECHNICAL STATEMENT

1. This Technical Statement and attached exhibits were prepared on behalf of Gulf Communications Partnership ("Gulf"), permittee of station WAAD, Channel 229A, Tice, Florida. Gulf has filed a Petition for Rule Making requesting the Commission amend §73.202(b) of its rules by substituting Channel 229C2 for Channel 229A at Tice, Florida. Gulf had further requested that the Commission make the following additional changes in order to accommodate its request at Tice; the substitution of Channel 284A for Channel 228A at Naples, Florida; the substitution of Channel 283C for Channel 284C at Big Pine Key, Florida; and the substitution of Channel 237C2 for Channel 288C2 at Key Colony Beach, Florida.

2. Following the submission of the Petition for Rule Making, Gulf was apprised of comments filed in MM Docket #93-136 by Okeechobee Broadcasters, Inc., licensee of WOKC-FM, Indiantown, Florida, Sunshine Broadcasting, Inc., licensee of WUSV, Fort Myers Villas, Florida, and Jupiter Broadcasting

Corporation, permittee of WADY, Jupiter, Florida, hereinafter referred to as "Commenters". The Commenters filed joint reply comments in MM Docket #93-136 requesting, to alleviate conflicts in that docket, the utilization of Channel 237C2, rather than Channel 288C2, at Marathon, Florida. This proposal was unknown to Gulf when it prepared its Petition for Rule Making at Tice, Florida.

3. In order to alleviate any mutual exclusivity to channels being considered in Docket #93-136, Gulf herein amends its proposal to substitute Channel 267C2 for Channel 288C2 at Key Colony Beach. Channel 267C2 does not conflict with any of the proposals contained in that docket nor any other requests before the Commission at this time.

4. Channel 267C2 can be substituted for Channel 288C2 at Key Colony Beach, Florida, at reference coordinates: North Latitude $24^{\circ} 42' 25''$ and West Longitude $81^{\circ} 06' 17''$. This is the present authorized construction permit site for WKKV, Channel 288C2, Key Colony Beach, Florida. A 3.16 mV/m contour would be provided to all of Key Colony Beach from the proposed reference location. Exhibit #1 is a \$73.207 spacing analysis which demonstrates that Channel 267C2 meets the Commission's minimum distance separation requirements to all licensed, applied for or proposed facilities.

5. Therefore, Gulf requests the following changes, including the above referenced alternative channel at Key Colony Beach, to the Commission's Table of Allotments:

Tice, Florida

<u>Present</u>	<u>Proposed</u>
229A	229C2

Naples, Florida

<u>Present</u>	<u>Proposed</u>
228A, 233C 276C3	233C, 276C3, 284A

Big Pine Key, Florida

<u>Present</u>	<u>Proposed</u>
284C	283C

Key Colony Beach, Florida

<u>Present</u>	<u>Proposed</u>
288C2	267C2

6. Although the other requests, with the exception of the Key Colony Beach channel, which were outlined in Gulf's originally filed Petition for Rule Making remain unchanged,

as a result of this amendment, this amendment merely offers an alternative channel for Key Colony Beach to alleviate any conflict with channels being considered in MM Docket #93-136.

7. The preceding comments were prepared on behalf of Gulf Communications Partnership by Graham Brock, Inc., its Technical Consultants. All information contained in herein is true and accurate to the best of our belief and knowledge. All data relating to FM allocations was extracted from the NTIA database as updated on March 27, 1994. We assume no liability for omissions or errors in that database which may be adverse to the requests contained herein.

ALLOCATION STUDY FOR KEY COLONY BEACH, FLORIDA
USING WKKB CONSTRUCTION PERMIT SITE AS REFERENCE

REFERENCE	CLASS C2	DISPLAY DATES
24 42 25 N	Current rules spacings	DATA 03-27-94
81 06 17 W	CHANNEL 267 -101.3 MHz	SEARCH 05-20-94

CALL TYPE	CH# LAT	CITY LNG	STATE PWR	BEAR' HT	D-KM D-Mi	R-KM R-Mi	MARGIN (KM)
AD267	267C2	Key Colony Beach	FL	0.0	0.00	190.0	-190.00
AD	24 42 25	81 06 17	0.000 kW	OM	0.0	118.1	
Gulf Communications Partnership							
WLYF	268C1	Miami	FL	32.8	165.94	158.0	7.94
LI CN	25 57 59	80 12 44	100.000 kW	247M	103.1	98.2	
Jefferson-Pilot Broadcasting					BLH-5032		
WAVV	266C1	Marco	FL	343.8	170.18	158.0	12.18
LI CN	26 10 57	81 34 32	100.000 kW	299M	105.8	98.2	
Alpine Broadcasting Corporation					BLH-870603KA		
WHYI	264C	Fort Lauderdale	FL	32.9	166.11	105.0	61.11
LI DCN	25 57 59	80 12 33	100.000 kW	307M	103.2	65.3	
Metroplex Communications, Inc					BLH-850322LB		

ALLOCATION STUDY CHANNEL 267C2

EXHIBIT #1
AMENDMENT TO
PETITION FOR RULE MAKING
GULF COMM. PARTNERSHIP
TICE, FLORIDA

June 1994

GRAHAM BROCK, INC.

BROADCAST TECHNICAL CONSULTANTS

AFFIDAVIT AND QUALIFICATIONS OF CONSULTANT

State of Georgia)
St. Simons Island) ss:
County of Glynn)

JEFFERSON G. BROCK, being duly sworn, deposes and says that he is an officer of Graham Brock, Inc. Graham Brock has been engaged by Gulf Communications Partnership, permittee of Radio Station WAAD, to prepare the attached Technical Exhibit.

His qualifications are a matter of record before the Federal Communications Commission. He has been active in Broadcast Engineering since 1979.


The attached report was either prepared by him or under his direction and all material and exhibits attached hereto are believed to be true and correct.

This the 1st day of June, 1994



JEFFERSON G. BROCK
Affiant

Sworn to and subscribed before me
this the 1st day of June, 1994



Notary Public, State of Georgia
My Commission Expires: September 8, 1995